1 2 3 4 5 6 7	CHRISTOPHER STRETCH (CA Bar No. 166752) christopher.stretch@pillsburylaw.com PILLSBURY WINTHROP SHAW PITTMAN L 4 Embarcadero Center, Suite 2200 San Francisco, CA 94111 Tel: (415) 983-1000 Fax: (415) 983-1200 Attorneys for Defendant Facebook, Inc. [See signature block for list of additional counsel]	
8		
9	UNITED STATES I	DISTRICT COURT
10	FOR THE NORTHERN DI	STRICT OF CALIFORNIA
11	OAKLAND	DIVISION
12	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04513-PJH
13 14	Plaintiff-Counterclaim Defendant,	DEFENDANTS' STATEMENT OF NON-OPPOSITION TO PLAINTIFF EVOLUTIONARY INTELLIGENCE
15	V.	LLC'S MOTION FOR CONSOLIDATION
16 17 18 19	SPRINT NEXTEL CORPORATION, et al., Defendants- Counterclaim Plaintiffs.	Date: April 3, 2019 Time: 9:00 a.m. Judge: Honorable Phyllis J. Hamilton Room: Courtroom 3, 3rd Floor
20	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04201-PJH
21 22 23	Plaintiff-Counterclaim Defendant, v.	Related with 4:13-cv-04513-PJH
24 25 26 27	APPLE INC., Defendant- Counterclaim Plaintiff.	
$\begin{bmatrix} 27 \\ 28 \end{bmatrix}$		

1	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04202-PJH
2	Plaintiff-Counterclaim	
3	Defendant,	Related with 4:13-cv-04513-PJH
4	V.	
5	FACEBOOK, INC.,	
6	Defendant- Counterclaim Plaintiff.	
7	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04203-PJH
8	Plaintiff-Counterclaim	Cube 1100 4.10 CV CHAUD 1011
9	Defendant,	D 1 (1 24 4 12) 04512 DHI
10	V.	Related with 4:13-cv-04513-PJH
11	FOURSQUARE LABS, INC.,	
12	Defendant-	
13	Counterclaim Plaintiff.	
14	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04204-PJH
15	Plaintiff-Counterclaim	
16	Defendant,	Related with 4:13-cv-04513-PJH
17	v.	
18	GROUPON, INC.,	
19	Defendant- Counterclaim Plaintiff.	
20		
21	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04205-PJH
22	Plaintiff-Counterclaim Defendant,	
23	v.	Related with 4:13-cv-04513-PJH
24	LIVINGSOCIAL, INC.,	
25	Defendant-	
26	Counterclaim Plaintiff.	
27		
28		

1	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04206-PJH
2	Plaintiff-Counterclaim Defendant,	
3	v.	Related with 4:13-cv-04513-PJH
4 5	MILLENNIAL MEDIA, INC.,	
6	Defendant- Counterclaim Plaintiff.	
7 8	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-04207-PJH
9	Plaintiff-Counterclaim Defendant,	
10	v.	Related with 4:13-cv-04513-PJH
11	TWITTER, INC.,	
12	Defendant- Counterclaim Plaintiff.	
13	Counterclaim Plaintini.	
14	EVOLUTIONARY INTELLIGENCE, LLC,	Case No. 4:13-cv-03587-PJH
15 16	Plaintiff-Counterclaim Defendant,	
17	v.	Related with 4:13-cv-04513-PJH
18	YELP, INC.,	
19	Defendant- Counterclaim Plaintiff.	
20		
21		
22		
23		
24		
25	///	
26 27	///	
28	///	
20	DEFS.' STMT. OF NON-OPP. TO CONSLIDATION	CASE No. 4:13-CV-04513-PJH AND RELATED CASES

1	Pursuant to Civil L.R. 7-3(b), and the Court's discretion to consolidate these related cases,	
2	Defendants do not oppose Plaintiff's Motion to Consolidate the nine related cases (Dkt. No. 240)	
3	for the limited purpose of resolving Plaintiff's Motion for Relief from Judgment Pursuant to Rule	
4	60(b)(6) (Dkt. No. 239).	
5		
6	Dated: February 11, 2019	
7	Dated. February 11, 2017	Respectfully submitted,
		<u>/s/ Christopher Stretch</u>
8		CHRISTOPHER STRETCH (CA Bar No. 166752)
9		christopher.stretch@pillsburylaw.com PILLSBURY WINTHROP SHAW PITTMAI
10		LLP
11		4 Embarcadero Center, Suite 2200 San Francisco, CA 94111
12		Tel: (415) 983-1000 Fax: (415) 983-1200
13		HEIDI L. KEEFE (CA Bar No. 178960)
14		hkeefe@cooley.com
15		MARK R. WEINSTEIN (CA Bar No. 193043) mweinstein@cooley.com
16		REUBEN H. CHEN (CA Bar No. 228725) rchen@cooley.com
		COOLEY LLP 3175 Hanover Street
17		Palo Alto, CA 94304
18		Phone: (650) 843-5000
10		Facsimile: (650) 849-7400
19		Attorneys for Defendant Facebook, Inc.
20		
21		/s/ Jeffrey Ostrow
22		JEFFREY E. OSTROW (CA Bar No. 213118)
23		jostrow@stblaw.com SIMPSON THACHER & BARTLETT LLP
24		2475 Hanover Street
25		Palo Alto, California 94304 Telephone: (650) 251-5000
26		Facsimile: (650) 251-5002
		Attorneys for Defendant Apple Inc.
27		
28	DEFS.' STMT. OF NON-OPP. TO CONSLIDATION	CASE NO. 4:13-CV-04513-PIH AND RELATED CASES

1		
2		/s/ Colby Springer
3		Colby B. Springer (CA Bar No. 214868) cspringer@polinelli.com
4		Hannah T. Yang (CA Bar No. 311814) hyang@polsinelli.com
5		POLSINELLI LLP Three Embarcadero Center, Suite 2400
6		San Francisco, CA 94111 Telephone: 415.248.2100
7		Facsimile: 415.248.2101
8		Jay E. Heidrick (<i>Pro Hac Vice</i>) jheidrick@polsinelli.com
9		POLSINELLI PC 900 W. 48th Place, Suite 900
10		Kansas City, MO 64112 Telephone: 816.572.4765
11		Facsimile: 816.817.0452
12		Karen Zelle Morris (<i>Pro Hac Vice</i>)
		kzmorris@polsinelli.com POLSINELLI PC
13		100 S. 4th Street, Suite 1000 St. Louis, MO 63102
14		Telephone: 314.889.8000 Facsimile: 314.622-6775
15		
16		Attorneys for Defendants Sprint Nextel Corporation, Sprint Communications
17		Company L.P., Sprint Spectrum, L.P., and Sprint Solutions, Inc.
18		
19		/s/ Karen Boyd
20		Karen Boyd (State Bar No. 189808)
21		boyd@turnerboyd.com TURNER BOYD LLP
		702 Marshall Street, Suite 640
22		Redwood City, CA 94068
23		Tel: (650) 521-5930 Fax: (650) 521-5931
24		
25		Craig R. Smith (<i>Pro Hac Vice</i>) csmith@lalaw.com
		Eric P. Carnevale (Pro Hac Vice)
26		ecarnevale@lalaw.com LANDO & ANASTASI, LLP
27		Riverfront Office Park
28		One Main Street – 11th Floor Cambridge, MA 02142
-0	DEFS.' STMT. OF NON-OPP. TO CONSLIDATION	CASE No. 4:13-cv-04513-PJH AND RELATED CASES

Case 4:13-cv-04513-PJH Document 258 Filed 02/11/19 Page 6 of 7

1		Tel: (617) 395-7000 Fax: (617) 395-7070
2		Attorneys for Defendant Foursquare Labs, Inc.
3		/s/ Thomas Duston
4		Thomas L. Duston (<i>Pro Hac Vice</i>)
5		tduston@marshallip.com MARSHALL, GERSTEIN & BORUN LLP
6		6300 Willis Tower 233 S. Wacker Drive
7		Chicago, IL 60606-6357 Telephone: (312) 474-6300
8		Facsimile: (312) 474-0448
9 10		Attorneys for Defendants Groupon, Inc. and Living Social, Inc.
11		/s/ Matthew Brigham
12		Matthew J. Brigham (CA State Bar No.
13		191428) mbrigham@cooley.com
14		COOLEY LLP Five Palo Alto Square
15		3000 El Camino Real Palo Alto, CA 94306-2155
16		Telephone: (650) 843-5000 Facsimile: (650) 857-0663
17		
18		Christopher C. Campbell (<i>Pro Hac Vice</i>) ccampbell@cooley.com
19		COOLEY LLP One Freedom Square – Reston Town Center
		11951 Freedom Drive Reston, Virginia 20190-5656
20		Telephone: (703) 456-8000 Facsimile: (703) 456-8100
21		Attorneys for Defendant Millennial Media,
22		Inc.
23		/s/ Steven Moore
24		Steven D. Moore (State Bar No. 290875)
25		mmeyer@kilpatricktownsend.com KILPATRICK TOWNSEND &
26		STOCKTON LLP Two Embarcadero Center, Suite 1900
27		San Francisco, CA 94111 Telephone: (415) 576-0200
28	DEFS.' STMT. OF NON-OPP. TO CONSLIDATION	Facsimile: (415) 576-0300 CASE NO. 4:13-CV-04513-PJH AND RELATED CASES
	DEFS. STWIT. OF NON-OFF, TO CONSLIDATION	CASE INO. 4.15-CV-U4313-FJII AND RELATED CASES

Matthew J. Meyer (State Bar No. 284578) mmeyer@kilpatricktownsend.com KILPATRICK TOWNSEND & STOCKTON LLP 1080 Marsh Road Menlo Park, CA 94025 Telephone: (650) 326-2400 Facsimile: (650) 326-2422 Attorneys for Defendants Yelp Inc. and Twitter, Inc. Pursuant to Civil Local Rule 5-1(i)(3), all signatories concur in the filing of this document. Dated: February 11, 2019 By: /s/ Christopher Stretch Christopher Stretch

Case 4:13-cv-04513-PJH Document 258 Filed 02/11/19 Page 7 of 7